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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/637,224

08/08/2003

Akira Morita

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01/05/2005

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EXAMINER

NGUYEN, VINCENT Q

ART UNIT

PAPER NUMBER

2858

DATE MAILED: 01/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/637,224

Applicant(s)

MORITA, AKIRA

Examiner

Vincent Q Nguyen

Art Unit

2858

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-16 and 19-22 is/are rejected.
- 7) ☒ Claim(s) 17 and 18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 11-16, 21, 22, are rejected under 35 U.S.C. 102(b) as being anticipated by Ooishi (6,205,071).

Regarding claims 11-16, 21, 22, Ooishi discloses a method comprising (Figure 20) the steps short-circuiting (By closing switches 456-458) each of the plurality of output lines (BLIR, SE1) upon examination; and comparing a current value detected on the short-circuited lines (SE, SE1, BLIR) and a specified current value (Vref4) (Figure 22) to thereby determine whether the signal supply apparatus is good or bad (See also figure 16).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2858

4. Claims 19, 20, are rejected under 35 U.S.C. 103(a) as being unpatentable over by Ooishi (6,205,071).

Regarding claims 19 and 20, pertinence to the discussion of claims 11-16 above, Ooishi discloses every subject matter recited in the claims except for the for the use of the circuit in electro-optical elements.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the circuit of Ooishi for using in the electro-optical elements because the use in electro-optical element does not change the function of Ooishi's circuit.

Allowable Subject Matter

5. Claims 17-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

6. Applicant's arguments filed 12/03/2004 have been fully considered but they are not persuasive.

In response to Applicant's argument that Ooishi does not teach or suggest, "short-circuiting each of the plurality of output lines upon examination" and "comparing a current value detected on the short-circuited lines and a specified current value to thereby determine whether the signal supply apparatus is good or bad," as required by independent Claims 11-16, 21, and 22.

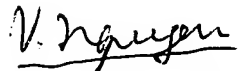
As examiner pointed out in the action, the steps of short-circuiting (By closing switches 456-458) (figure 20) each of the plurality of output lines (BLIR, SE1) upon examination (Any examination including the step of comparing); and comparing a current value detected on the short-circuited lines (SE, SE1, BLIR) and a specified current value (V_{ref4}) (Figure 22) to thereby determine whether the signal supply apparatus is good or bad (Figure 16). It is not necessary to explicitly state whether the signal supply apparatus is good or bad. The sense circuit of figure 16 determines the "bad" signal associated with a threshold. Therefore, Ooishi does disclose the step of shorting circuit by closing switches 456-458) (figure 20) each of the plurality of output lines (BLIR, SE1) upon examination as recited in the claims 11-16, 21, 22.

Contact Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vincent Q Nguyen whose telephone number is (571) 272-2234. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, N. Le can be reached on (571) 272-2233. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


August 24, 2004

Vincent Q. Nguyen
Primary Examiner
Art Unit 2858